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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/069,985

03/15/2002

Shmuel Okon

1536

8040

7590

05/27/2004

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EXAMINER

AU, SCOTT D

ART UNIT

PAPER NUMBER

2635

DATE MAILED: 05/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/069,985

Applicant(s)

OKON, SHMUEL

Examiner

Scott Au

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

The application of Okon for a "Fireworks remote control system" filed March 15, 2002 has been examined.

Claims 1-14 are pending.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 13-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. The claims are an omnibus type claims.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guerrerri (US# 4,884,506) in view of Gavrilovic et al. (WO# 99/24776).

Referring to claims 1 and 7, Guerreri discloses a remote control system (10) (i.e. detonating system) and method comprising: a central terminal unit (11) (i.e. command unit) for generating command control signals (i.e. radio signal 17); and a plurality of remote activation units (13) (i.e. control units), each of said remote activation units (13) (i.e. control units) being responsive to one of said command control signals (i.e. radio signal 17) for ignition, wherein said command control signals are communicated via a one-way wireless communication link, each of said command control signals having a unique coded identification portion associated with a particular one of said remote activation units (13) (i.e. control units), such that only specific ones of said plurality of remote activation units (13) (i.e. control units) respond to any individual command control signal (col. 3 line 30 to col. 4 line 30; see Figures 1 and 2).

However, Guerreri did not explicitly disclose a remote control is a firework remote control with user-programmable code.

In the same field of endeavor of detonating system and method, Gavrilovic et al. disclose a firework remote control with user-programmable code (page 9 lines 1-8, page 21 line 14 to page 22 line 16 and page 23 lines 11-12) in order to deliver an electric detonation current to the detonator (24).

One of ordinary skilled in the art understands that detonation system of Gavrilovic et al. is desirable in remote detonation of Guerreri because Guerreri suggests each individual control units (13) contains a radio receiver which receives signals from the command unit (11) to detonate the charge (col. 3 lines 19-25) and Gavrilovic et al. teach the detonation system (10) can be applied to non mining applications such as for

initiating firework (page 23 lines 11-12). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include a firework remote control with user-programmable code of Gavrilovic et al. in the detonation system of Guerreri with the motivation for doing so would allow the user to program the individual control units to carry out the fireworks.

Referring to claims 2 and 9, Guerreri in view of Gavrilovic et al. disclose the system and method of claims 1 and 7, Gavrilovic et al. disclose wherein said command control signals include a sleep command which activates a power saving mode in which said remote activation units consume a minimum power level (col. 9 lines 11-15 and 54-67).

Referring to claims 3 and 10, Guerreri in view of Gavrilovic et al. disclose the system and method of claims 2 and 9, Gavrilovic et al. disclose wherein said command control signals include a wake-up command which cancels said power saving mode (page 15 lines 2-4 and page 16 lines 10-15).

Referring to claims 4 and 8, Guerreri in view of Gavrilovic et al. disclose the system and method of claims 1 and 7, Guerrier discloses further comprising a beacon signal generated by said central terminal unit for receipt by said remote activation units, said remote activation units being responsive to said command control signals for

ignition only if said beacon signal is actually received (col. 3 line 60 to col. 4 line 2 and col. 4 lines 15-25).

Referring to claims 5 and 11, Guerreri in view of Gavrilovic et al. disclose the system and method of claims 1 and 7, Gavrilovic et al. disclose wherein said command control signals are generated in an automatic mode (i.e. remote), in which said remote activation units respond in a sequential fashion in accordance with a predetermined sequence and time delay relative to commencement of said sequence (page 3 line 5 to page 4 line 3 and page 21 line 21 to page 22 line 16).

Referring to claims 6 and 12, Guerreri in view of Gavrilovic et al. disclose the system and method of claims 1 and 7, Gavrilovic et al. disclose wherein each remote activation unit is programmable to enable receipt of said command control signals which are uniquely associated with a specific central terminal unit (page 21 line 21 to page 22 line 16).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Streifer et al. (US# 4,862,802) disclose the communication of transmitter (11) and receiver (13) can be wire, bus, optic fiber or broadcast radio waves.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Au whose telephone number is (703) 305-4680. The examiner can normally be reached on Mon-Fri, 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached at (703) 305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-3906.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Scott Au



MICHAEL HORABIK  
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